

Applicant : Marshall Medoff et al.
Serial No. : 09/772,593
Filed : January 30, 2001
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Attorney's Docket No.: 08895-019001 / Fibrous
Materials - CON

REMARKS

Applicants thank the Examiner for finding the inadvertent claim numbering and acknowledge the renumbering of the claims by the Examiner. The dependencies have been amended accordingly.

Claims 57, 58 and 60 were rejected under 35 U.S.C. § 102 as being anticipated by Pratt et al. Applicants do not agree with the rejection. However, to move towards allowance of the claims, the limitations of allowed claim 59 have been incorporated into claim 57, making claim 57 and claim 60 now allowable. Applicants have also cancelled claims 58 and 59 without prejudice.

Claims 1-17, 45-51 and 54-61 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Pat. No. 5,973,035. In addition, claim 1-17, 45-51 and 54-61 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 9-37 of U.S. Pat. No. 6,207,729. Since the Examiner has indicated that claims 1-17, 45-51, 55-56, 59 and 61 are otherwise allowable, Applicants enclose a terminal disclaimer.

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